

FINDING OF NO SIGNIFICANT IMPACT

Acton Recreation Area Mountain Bike Trails System Project

Yellowstone County, Montana

DOI-BLM-MT-0010-2013-0016-EA

Based on the analysis of potential environmental impacts contained in the attached environmental assessment DOI-BLM-MT-0010-2013-0016-EA, the proposed action of constructing a designated mountain bike trail system project at the location described above, under the terms and conditions with the mitigation measures described above would not have significant impacts.

Rationale for No Significant Impact Finding:

The analysis of the proposed action did not identify any impacts that would be significant in nature either in context or intensity. The project specifications would minimize surface disturbance, cultural and wildlife impacts. In addition, there is nothing to indicate the action is highly controversial or that it is related to other actions with individually insignificant but cumulatively significant actions. The following ten considerations for evaluating intensity were all addressed for evaluating the intensity of the proposed action.

1) Impacts that may be both beneficial and adverse.

Impacts associated with implementing the project as proposed would not be adverse. The proposed action would improve recreational opportunities and experiences while protecting resources.

2) Public health and safety.

There would be no negative impact to the public health and safety from implementing the proposed action. A designated trail system would provide a safer experience.

3) Unique characteristics of the geographic area.

The proposed action would not impact any unique characteristics of the geographic area.

4) Degree to which effects are likely to be highly controversial

Designating the existing trail and bringing it into compliance with federal standards is not highly controversial.

5) Degree to which effects are highly uncertain or involve unique or unknown risks.

The process of designing and constructing the trail system are well known and has no unique or unknown risks.

6) Consideration of whether the action may establish a precedent for future action with significant impacts.

The proposed action would not establish precedent for future actions with significant impacts. There are currently past, present or future actions occurring in the area.

7) Consideration of whether the action is related to other action with cumulatively significant impacts.

The proposed action is not connected to other actions; therefore impacts cannot become cumulatively significant.

8) Scientific, cultural or historical resources, including those listed in the eligible for listing in the National Register of Historic Places.

There are known scientific, cultural, or historical resources eligible for listing in the National Register of Historic Places in the area.

9) Threatened or endangered species and their critical habitat.

The proposed would not adversely affect threatened or endangered species or their habitat.

10) Any effects that threaten a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

The proposed action would not violate any Federal, State, or local law.

Based upon the environmental analysis attached to this document, as well as the ten considerations for evaluating intensity, no significant impacts are expected to occur as a result of the proposed action, therefore an environmental impact statement is not required.

Decision:

It is my decision to authorize the construction and designation of the mountain bike trails as described below. This decision is based on this finding of no significant impacts (FONSI), referencing the proposed action alternative analyzed in the environmental assessment DOI-BLM-MT-0010-2013-0016-EA. All projects on public lands will be constructed and maintained to conform to BLM design specifications.

Project specific conditions

1. Trail designs must meet BLM design standards.

Rationale for Decision

An environmental assessment (DOI-BLM-MT-0010-2013-0016-EA) was conducted for the construction of the trail system. I have determined that approval of the construction of the mountain bike trail system under the specified terms and conditions is in conformance with the Billings Record of decision objectives (Billings ROD, 1984).

APPEAL PROVISIONS

The decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4. Public notification of this decision will be considered to have occurred on March 7, 2014. Within 30 days of this decision, a notice of appeal must be filed in the office of the authorized officer at 5001 Southgate Drive, Billings, Montana 59101. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the authorized officer.

If you wish to file a petition for stay pursuant to 43 CFR Part 4.21, the petition for stay should accompany your notice of appeal and shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of irreparable harm to the appellant or resources if the stay is not granted, And
- (4) Whether the public interest favors granting the stay.

If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the authorized officer.

A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken and on the Office of the Regional Solicitor, U.S. Department of the Interior, P.O. Box 31394, Billings, Montana 59107-1394, not later than 15 days after filing the document with the authorized officer and/or IBLA.

The Office of Hearings and Appeals regulations do not provide for electronic filing of appeals, therefore they will not be accepted. If you have any questions, feel free to contact either Tim Finger, Outdoor Recreation Planner, at (406) 896-5248, or myself at (406) 896-5241.

Sincerely,

James M. Sparks

Field Office Manager